

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ROBERT D. GIBSON, E09929,  
Plaintiff,  
v.  
WARDEN MUNIZ, et al.,  
Defendant(s).

Case No. 17-cv-04955-CRB (PR)

## **ORDER OF DISMISSAL**

WARDEN MUNIZ, et al.,  
Defendant(s)

This civil action by a prisoner was filed on August 25, 2017. The court notified plaintiff in writing at that time that the action was deficient because plaintiff did not pay the requisite \$400.00 filing fee or, instead, submit a signed and completed court-approved in forma pauperis application, including a completed certificate of funds in the prisoner's account and a copy of the prisoner's trust account statement for the last six months. See 28 U.S.C. § 1915(a)(2). Plaintiff was advised that failure to file the requested items within 28 days would result in dismissal of the action.

More than 28 days have elapsed; however, plaintiff has not provided the court with the requisite items or sought an extension of time to do so. The action is DISMISSED without prejudice.

The clerk is instructed to close the file.

## **IT IS SO ORDERED.**

Dated: October 12, 2017

  
CHARLES R. BREYER  
United States District Judge